

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

X CORP., a Nevada corporation,

Plaintiff,

vs.

MEDIA MATTERS FOR AMERICA, a
Washington, D.C. non-profit corporation,
ERIC HANANOKI, and **ANGELO
CARUSONE**,

Defendants.

Case No. 4:23-cv-01175-O

**PLAINTIFF’S RESPONSE TO
DEFENDANTS’ MOTION FOR STATUS CONFERENCE**

Plaintiff does not oppose Defendants’ Motion for a Status Conference (the “Motion”) if the Court agrees that hearing from counsel would be helpful. Although not mentioned in Defendants’ Motion, two other motions are presently fully briefed and ripe for decision. First, Defendants’ meritless and untimely motion to transfer venue, ECF No. 152; and second, Plaintiff’s motion for antisuit injunction to end Defendants’ gamesmanship, ECF No. 156. The Court did not hold oral argument on these motions, and Plaintiff is amenable to addressing them at the proposed status conference if helpful to the Court.

With respect to the motions discussed in Defendants’ Motion, several are pending and not yet fully briefed before the Court, and thus a status conference would be premature at this time with respect to those motions. Defendants request a status conference “between the weeks of April 28 or May 5” (Motion at 1) to discuss a variety of pending motions, but these motions will not be fully briefed until weeks later. Under Local Rule 7.1, briefing closes on Plaintiff’s motion to compel on May 19, 2025, *see* ECF No. 174; on Defendants’ motion to compel on May 26, 2025,

see ECF No. 182; and on Defendants’ motion for leave to increase depositions and amend the schedule on May 27, 2025, *see* ECF No. 184. No party has filed a motion requesting expedited briefing, and the Court has not ordered it *sua sponte*. Plaintiff respectfully submits that those matters should be addressed in due course after submission of all briefing rather than in a status conference without the benefit of a complete written record.

Plaintiff agrees with Defendants, however, that the schedule in this case merits review by the Court. The Court entered the current scheduling order shortly after Defendants filed their interlocutory appeal regarding the order compelling them to produce documents. ECF No. 101. The Fifth Circuit still has not ruled on that appeal, though it has been fully briefed and was argued on February 18, 2025. Accordingly, as when the Court last extended the schedule, “the Fifth Circuit will not resolve the appeal with sufficient time for the parties to complete fact discovery, timely prepare pretrial disclosures, and proceed to trial on the current schedule.” ECF No. 128 at 1-2. At that time, “both sides agree[d] that completing discovery and proceeding to trial on this case before appellate proceedings have been exhausted on this important issue is inefficient and wasteful, impracticable or impossible, and contrary to the purpose of the Federal Rules.” ECF No. 128 at 3 (citing Fed. R. Civ. P. 1).

It is unfortunate Defendants filed their motion to amend the schedule without adequately conferring with Plaintiff (and therefore potentially unnecessarily burdening the Court) and without accounting for the delays caused by the Fifth Circuit appeal that they initiated. *See* ECF No. 185-1. Plaintiff will timely respond to that motion and will submit an alternative proposed scheduling order if a compromise cannot be reached. But if the Court would prefer to do so, Plaintiff would not oppose addressing these matters directly with the Court in a scheduling conference.

Dated: April 27, 2024

Respectfully submitted.

John C. Sullivan
Texas Bar No. 24083920
S|L Law PLLC
610 Uptown Boulevard, Suite 2000
Cedar Hill, TX 75104
Telephone: (469) 523-1351
Facsimile: (469) 613-0891
john.sullivan@the-sl-lawfirm.com

/s/ Christopher D. Hilton
Judd E. Stone II
Texas Bar No. 24076720
Christopher D. Hilton
Texas Bar No. 24087727
Ari Cuenin
Texas Bar No. 24078385
Elizabeth Brown Fore
Texas Bar No. 24001795
Michael R. Abrams
Texas Bar No. 24087072
Alithea Z. Sullivan
Texas Bar No. 24072376
Alexander M. Dvorscak
Texas Bar No. 24120461
Cody C. Coll
Texas Bar No. 24116214
Stone Hilton PLLC
600 Congress Ave., Ste. 2350
Austin, TX 78701
Telephone: (737) 465-3897
judd@stonehilton.com
chris@stonehilton.com
ari@stonehilton.com
elizabeth@stonehilton.com
michael@stonehilton.com
alithea@stonehilton.com
alex@stonehilton.com
cody@stonehilton.com

Counsel for Plaintiff

CERTIFICATE OF SERVICE

I certify that on April 27, 2025, the foregoing document was electronically filed with the CM/ECF system, thereby effectuating service on counsel for all parties.

/s/ Christopher D. Hilton
Christopher D. Hilton